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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/652,315

09/02/2003

Hiromitsu Takayama

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EXAMINER

RATHINASAMY, PALANI P

ART UNIT

PAPER NUMBER

3622

MAIL DATE

DELIVERY MODE

10/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/652,315	Applicant(s) TAKAYAMA, HIROMITSU	
	Examiner Palani P. Rathinasamy	Art Unit 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/2/2003</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on applications filed in Japan on 09/02/2002 and 08/21/2003. It is noted, however, that applicant has not filed a certified copy of the foreign applications as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 5-8 recite the limitation "the user information". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by do Rosario Botelho et al. (US 2002/0069105 A1) (hereinafter "Botelho et al.").

4. Regarding claim 1, Botelho et al. teaches of a system and method where “users (e.g. consumers) decide what type of advertisements (or other content) they want to view.” (Abstract). In particular, Botelho et al. teaches of a system and method comprising:

- an advertising server that transmits advertisement information including various advertisement categories (Abstract; [0009]; Fig. 4; [0036], [0039]-[0040])
- a client terminal that receives the advertisement categories ([0039]-[0040])
- a user selects advertisement categories on the terminal and the terminal transmits it to the server ([0010], [0039]-[0041])
- the server receives the selected category and determines targeted advertisements based on the selection ([0010], [0012], [0035]-[0036])
- the server then transmits the advertisement to the client terminal where it is displayed ([0012]; [0042]-[0043]; Fig. 11)

5. Regarding claim 2, Botelho et al. teaches that the user selects the advertisements using an AdRemote, the AdRemote having buttons for the user to select. (Fig. 4; Fig. 6; [0041], [0046]).

6. Regarding claims 3 and 4, Botelho et al. teaches that the category information selected by the user “can be stored in one or more cookies on either the client side or the server side.” ([0040]).

7. Regarding claims 5 and 7, Botelho et al. teaches of using various categories and properties in order to determine the type of advertisements that are displayed. ([0040]). In particular, Botelho et al. teaches of selecting advertisements based on the users

selection, advertisers selection, and server properties, or a combination thereof.

([0040]). The server properties include user information such as geographic origin and language. ([0040]).

9. Regarding claims 6 and 8, as stated above, Botelho et al. teaches of using various categories and properties to determine the type of advertisement that are displayed. ([0040]). Botelho et al. further teaches of using transient properties, i.e. properties corresponding to the way the advertisement is displayed, in addition to other properties to determine the type of advertisement displayed. ([0039]-[0040]).

10. Regarding claims 9 and 10, Botelho et al. teaches of updating the entire screen or of updating a specific advertisement. ([0042]-[0045]).

11. Regarding claims 11-14, Botelho et al. teaches of a system comprising of:

- an advertising server with storage for storing advertising information, means for generating relevant advertisements, and means for communicating with client terminal ([0028]-[0030]; [0033]-[0038])
- a client terminal with display for displaying advertisement and category information ([0031])
- and a network for communicating between the client terminal and advertisement server ([0034])

12. Regarding claims 15-17, Botelho et al. teaches of a client terminal system comprising of:

- a display ([0031])
- means for displaying advertising information on the display ([0031])

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- means for storing advertisement information ([0030]-[0031]; [0040])
- means for selecting a category ([0031])
- and means for communicating with the server ([0034])

Conclusion

Examiner's Note: Examiner has cited particular columns, line numbers, and paragraphs in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing responses, fully consider each of the references in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art disclosed by the examiner.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Palani P. Rathinasamy whose telephone number is (571) 272-5906. The examiner can normally be reached on M-F 8:30-5p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


PPR


ARTHUR DURAN
PRIMARY EXAMINER